



## Memorandum # 28/2002

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission  
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### MEMORANDUM

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: School Nurses Membership in the Massachusetts Teacher' Retirement System

DATE: June 10, 2002

In PERAC Memorandum #24/1999, the Commission instructed Retirement Boards to search for school nurses whose membership should have been transferred to the Massachusetts Teachers' Retirement System (MTRS).

The Commission initially took the position that local retirement boards' liability for the purposes of G.L. c. 32, § 3(8)(c) for those school nurses' retirement allowance ended at the time that a school nurse should have been transferred to MTRS. The Superior Court has overturned that position and ruled that liability ends when a school nurse's total accumulated deductions are actually transferred to the MTRS. As such, any board that transferred the membership of a school nurse who subsequently retired may need to have an adjustment to the § 3(8)(c) amount.

Retirement boards should use this opportunity to assure that all eligible school nurses have been transferred to the MTRS according to the guidelines in Memorandum #24/1999.

We trust the foregoing is of assistance. If you have further questions or concerns, please contact this office.